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CERTIFICATE OF MAILING

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Typed or Printed name of person signing this certificate:

Joyce Ford

Signature Joyce Ford

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JUL 16 2003

GROUP 3600

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Warner et al.

) Examiner: Marcus Charles

)

) Art Unit: 3682

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Serial No.: 09/752,136

)

Filed: December 27, 2000

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For: **VARIABLE SPEED DRIVE
SYSTEM**

) Attorney Docket: 12052/04000

)

Assistant Commissioner for Patents
Washington, D.C. 20231

**INFORMATION FOR WITHDRAWAL OF ABANDONMENT - PTO HAS NO
EVIDENCE THAT MAILED CORRESPONDENCE RECEIVED**

REQUEST

Applicant requests that the abandonment in this case be withdrawn.

PROMPTNESS OF THIS SUBMISSION

This information is being submitted promptly after applicant has learned of the abandonment on the basis of: the Notice of Abandonment mailed by the PTO on June 30, 2003.

SUBMISSION

Submitted herewith is:

1) A copy of the page of the response mailed on December 26, 2002, showing a Certificate of Mailing executed on December 26, 2002.

2) A copy of the post card identifying the papers filed and showing the U.S. PTO receipt stamp dated December 31, 2002.

3) A copy of the complete response previously filed.

STATEMENT

Based on personal knowledge the Transmittal and Amendment (copies of which are attached) were transmitted by first class mail on December 26, 2002. This mailing was a timely response to the Examiner's Office Action dated September 25, 2002. Please proceed with further examination of this application on the basis of the attached copy of the papers originally filed.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

Acknowledgement of the active status of this application is respectfully requested. It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.

Reg. No 47,401

Tel. No. 216-622-8527

Cust. No.



24024

PATENT TRADEMARK OFFICE

James A. Balazs

800 Superior Ave. Suite 1400

Cleveland, Ohio 44114

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U.S. Patent and Trademark Office

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$0.00)

Complete if Known

Application Number	09/752,136
Filing Date	December 27, 2000
First Named Inventor	Warner
Examiner Name	
Group Art Unit	3682
Attorney Docket No.	12052/04000

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																														
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <input type="text" value="03-0172"/></p> <p>Deposit Account Name <input type="text"/></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(f)</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify) <input type="text"/></td> </tr> <tr> <td colspan="4">* Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$)</td> </tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - 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*** or number previously paid, if greater; For Reissue, see above*

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SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	James A. Balazs	Registration No. (Attorney/Agent)	47,401	Telephone	(216) 622-8200
Signature	<i>James A. Balazs</i>			Date	12/26/02

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In re application of Warner et al.
Serial No.: 09/752,136
Filed: December 27, 2000
CH&G Ref.: 12052/04000 (JAB:jk)

Please acknowledge receipt of the following:

- Transmittal in duplicate (1 page)
- Amendment (14 pages)
- Fee Transmittal (1 page)
- Return Receipt Postcard



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CALFEE, HALTER & GRISWOLD LLP
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, Ohio 44114-2688

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Jacqueline K. Bojor

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Warner et al. : Group Art Unit: 3682
Serial No. 09/752,136 : Examiner:
Filed: December 27, 2000 : Docket No. 12052/04000
Title: VARIABLE SPEED DRIVE SYSTEM

TRANSMITTAL OF RESPONSE AND AMENDMENT

Commissioner of Patents
Washington, D.C. 20231

Sir/Madam:

Following documents, enclosed herewith, are submitted in response to the Office Action dated September 25, 2002:

- (1) Response and Amendment (9 pages);
- (2) Marked Specifications and Claims (3 pages);
- (3) Drawings (2 pages);
- (4) Fee Transmittal (1 page); and
- (5) A return receipt postcard.

Additional fees are due for three new dependent claims (small entity rate) in connection with this amendment. The Examiner is authorized to charge deposit account 03-0172 for these fees. In the event that any additional extension is required, please treat this Transmittal Letter as a request for such additional extension.

Respectfully submitted,

James Balazs
James A. Balazs, Reg. No. 47,401
CALFEE, HALTER & GRISWOLD
800 Superior Avenue, Suite 1400
Cleveland, Ohio 44114-2688
(216) 622-8527

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